

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: AWAKURA et al
Serial No.: 10/663,657
Filed: September 17, 2003
For: Display Apparatus And Display Control Method
Group: 2629
Examiner: W. Boddie
Conf. No.: 3803
ATTN: Nancy Johnson
Senior Petitions Attorney
Office of Petitions

REQUEST FOR RECONSIDERATION OF DECISION ON PETITION

Mail Stop: Petition
Commissioner of Patents
P.O. Box 1450
Alexandria VA 22313-1450

May 20, 2009

Sir:

This is a request for reconsideration of the Decision on Petition, dated May 13, 2009, with respect to the Petition for Withdrawal of Erroneous Holding of Abandonment, filed December 7, 2007 and the Status Inquiry filed September 4, 2008.

The Senior Petitions Attorney, Ms. Johnson, is thanked for the courtesy extended the undersigned attorney during the telephone discussion of May 19, 2009 regarding the Petition, wherein Ms. Johnson noted page 3 of the Decision, pointing out that the showing of non-receipt was not sufficient

since practitioner, the undersigned attorney, only submitted a docket page for the replies of November 16, 2007, wherein the appropriate docket page would be the docket page for May 16, 2007.

Submitted herewith is a copy of the docket page of the master docket record for October 16, 2007.

As pointed out in the Petition filed December 7, 2007, the procedures of the office of the undersigned is that when an office action is received from the USPTO, a computer docketing system is updated and the end of the statutory period for response to the office action is docketed manually in the firm's main Docketing Book. A copy of the October 16, 2007 page of this Docket Book, which represents the end of the six month statutory period for response for an office action dated April 16, 2007, is now attached, and as is apparent, no record exists on such page of the office action for Serial No. 663,657 (Our Docket No.: 501.43143X00). Additionally, the undersigned attorney has reviewed the computer records and the file for the above-identified application, and submits that no indication of receipt of an office action dated April 16, 2007 for such application appears therein.

Petitioners submit that the office action dated April 16, 2007 for the above-identified application was not received in the offices of the undersigned, such that a response thereto could not have been made.

Accordingly, applicants submit that the Notice of Abandonment is erroneous based upon the facts, and the Notice of Abandonment should be withdrawn.

Petitioners submit that in light of the submission of the appropriate page of October 16, 2007 from the main Docket Book, and the statements

concerning the review of the computer records and the file for the above-identified application, the evidence for showing of non-receipt of the Office Action, as indicated in the Decision on Petition, have been satisfied.

Favorable action on this Request for Reconsideration of the Decision on Petition, is requested.

Please charge any shortage in the fees due in connection with the filing of this paper, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 501.43143X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Melvin Kraus/ *TK*
Melvin Kraus
Registration No. 22,466

MK/jla
(703) 312-6600
Attachment

2007 289th day - 76 days follow

National Boss Day (US)

TUESDAY

16

OCTOBER

122312-43062X00	SHIMODA	644,094	Response	AMS	5/29
122312-43062X00	Miyachi	695,939	Response	WES	8/16
122312-43062X00	SHIMODA	009,033	Final/Don	PSS	7/16
122312-43062X00	YAMAZAKI	134,465	RESPONSE	WES	7/16
122312-43062X00	YAMAZAKI	078,065	RESPONSE	GEM 8/27	
122312-43062X00	NAKAYASHI	796,192	Response	NAK	7/16
122312-43062X00	YOSHIDA	914,115	Final/Don	NAK	7/16
122312-43062X00	KUJIKI	038,092	ELECTION	NAK	5/16
122312-43062X00	Umemura	431,828	IF/PE	GEM	8/13
122312-43062X00	Suzuki	203,970	IF/PE	GEM	10/12
122312-43062X00	TERASAKI	131,295	IF/PE	LDT	10/10
122312-43062X00	Kihara	073,652	IF/PE	WES	10/10
122312-43062X00	Goto	312,779	IF/PE	LDT	10/10
122312-43062X00	Shao	393,930	IF/PE	DES	10/9
122312-43062X00	Takahashi	759,081	IF/PE	PSS ESP	12/21
122312-43062X00	Nishimura	392,921	IF/PE	WES	10/16

all files

10/16/07

RJH

12/12/06

122312-43062X00	Gotoh	P-1128-US	New App	GEM	(12/12/06)
122312-43062X00	Nitachi	3306000264501	New App	NAK	10/16
122312-43062X00	Dabene	10116105	New App		10/16